



General Manager

Brian C. Wright

Executive Leadership Team

Joe Horvath, Electric Utility Director/ AGM

Shanna Kuhlemier, District Clerk

Steven Poncelet, PIO & Strategic Affairs Director

Michael Salmon, Chief Financial Officer

Board of Directors

Joseph Aguera

Jeff Bender

Christa Finn

Tony Laliotis

Kim Harris

Regular Broadband Committee Meeting Thursday January 13, 2022 at 3:30 pm Agenda

As permitted by State of California Executive Order (EO) N-29-20, the Truckee Donner Public Utility District Board meeting room will not be accessible to the public. Members of the Broadband Committee will be participating from separate remote locations.

Public comment will be accepted via email at reginacooley@tdpud.org and via Zoom on any item on the agenda until public comment on each item is closed. For members of the public that would like to view committee meetings please register here:

https://us02web.zoom.us/webinar/register/WN_ztvy_AKAREyMmKlqYjuV7Q

1. Call to order
2. Roll Call
3. Public Comment – This is time set aside for the public to address the Board on any matter not on the agenda. Testimony related to any agenda item should be addressed at the time that that item is considered.

(The public may comment on any subject that is not on the agenda. Each speaker will be limited to three minutes, but speaker time may be reduced at the discretion of the Board President if there are a large number of speakers on any given subject.)

Old Business

4. Approve the Minutes of December 16, 2021 Broadband Committee Meeting.

New Business

5. Continue Consideration to Adopt of Resolution 2022-01, Resolving a Local Emergency and Authorizing Remote Teleconference Meetings of the Broadband Committee for the Period January 13, 2022 – February 12, 2022 pursuant to the Brown Act Provisions and AB361. And, adoption of a new meeting schedule.
 - a) Make certain findings, including but not limited to, meeting in person would present imminent risks to the health or safety of attendees, as set forth in Resolution 2022-01 which defines the provisions of AB361 and authorizes remote teleconference meetings for the next thirty (30) days of the initial or subsequent resolution to continue to allow the Broadband Committee to meet remotely via teleconference, as allowed under AB361 and in compliance with the Brown Act Provisions for the period January 13, 2022 –



American Public Power Association

11570 Donner Pass Road, Truckee, CA 96161- Phone 530-587-3896- www.tdpud.org



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February 12, 2022.

6. Informational update and presentations from working groups:
 - A. Supply side
 - B. Demand side
 - C. Benchmarking/Funding
7. Collaborative discussion regarding draft presentation for TDPUD Board of Directors.
8. Assess additional meeting needs.
9. Review action items and timeline.

ADJOURNMENT

The agenda is available for review at the TDPUD administrative office and the District's internet website. Posted on Friday January 7, 2022.

Regina Cooley

A copy of the agenda packet is available for public review, during normal business hours, at the district administrative office located at 11570 Donner Pass Road. Public participation is encouraged. The meeting location is accessible to people with disabilities. Every reasonable effort will be made to accommodate participation of the disabled in all of the Districts public meetings. If particular accommodations for the disabled are needed (i.e. disability-related aids, or other services), please contact Regina Cooley at (530) 582-3913 or ReginaCooley@tdpud.org, at least 24 hours in advance of the meeting.

Any person with a disability may submit a request for reasonable modification or accommodation to the above-described means for accessing and offering comment at the meeting to Regina Cooley at (530) 582-3913 or ReginaCooley@tdpud.org who will swiftly resolve such request.



AGENDA ITEM # 4

MEETING DATE: January 13, 2022
TO: Broadband Committee
FROM: Regina Cooley, Contract Administrator
SUBJECT: Approval of the December 16, 2021 Meeting Minutes



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**Regular Broadband Committee Meeting
Thursday December 16, 2021 at 3:30 pm
Minutes**

1. Call to order – Meeting was called to order by Regina Cooley at 3:30 p.m.
2. Roll Call – Mark Simon Featherstone, Penelope “Penny” Morris, Dan Dickerman, Michael J. Wolf, Serita K Cox, John Paul, & Judy Price.

EMPLOYEES PRESENT: Steven Poncelet, Regina Cooley

3. Public Comment – None.

Old Business

4. The Minutes of December 16, 2021 Broadband Committee Meeting were approved via consensus.

New Business

5. A motion was made by Committee Member Mark Simon Featherstone and seconded by Committee Member Serita Cox to:
 - a) Make certain findings, including but not limited to, meeting in person would present imminent risks to the health or safety of attendees, as set forth in Resolution 2021-02 which defines the provisions of AB361 and authorizes remote teleconference meetings for the next thirty (30) days of the initial or subsequent resolution to continue to allow the Broadband Committee to meet remotely via teleconference, as allowed under AB361 and in compliance with the Brown Act Provisions for the period December 16, 2021 to January 15, 2022.
 - b) Adopt an updated meeting schedule

The motion passed via roll call vote:

Ayes: Mark Simon Featherstone, Penelope “Penny” Morris, Dan Dickerman, Michael J. Wolf, Serita K Cox, John Paul, & Judy Price

Noes: None

Abstain: None

Absent: Tim Chase and Bjorn Book-Larsson

6. Broadband Committee goals, Objectives, and timeline were re-confirmed via consensus.



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7. This time was used for each sub-group to provide an informational update to the committee:
 - A. Supply Side
 - a. The group has met once since the last meeting to discuss the supply side needs.
 - b. They expressed a desire for more information on the contract between TDPUD and Plumas Sierra Telecommunications (Plumas-Sierra) and are highly interested in a meeting with TDPUD's IT staff and Plumas-Sierra. (Action item: Steven Poncelet to schedule meeting – He is hoping to schedule the week of January 3-5, 2022)
 - c. The group expressed concern over the timing of the upcoming renewal of Plumas-Sierra's contract with TDPUD and the impacts this could have on bringing other ISP's into the area. Asked when the contract expires, Regina Cooley let them know the contract's expiration date is February 27, 2022.
 - B. Demand Side
 - a. The group is working together to create a presentation for the TDPUD Board of Directors and would like to present their presentation to the Broadband Committee at the next meeting.
 - i. At this time there was some group discussion and all sub-groups agreed to bring their draft presentation for the TDPUD Board of Directors to the next Broadband Committee meeting.
 - b. The group is focusing on forecasting demand needs based on where Truckee's needs will be in 5-10 years to ensure there is a forward thinking approach taken.
 - c. They are focusing on building a strong demand case.
 - C. Benchmarking/Funding
 - a. Expressed that they have a lot of questions they are trying to understand to help narrow their focus. These questions present a roadblock for the group. At this point there was general discussion between the group and District Staff leading to the Benchmarking group expressing the roadblock had been cleared and they could proceed.
 - b. The group feels strongly that if the TDPUD moves forward with moving into the Broadband space it must be treated as a completely separate entity from the rest of the utility.
 - c. Focusing on business model recommendations
 - d. The group will likely bring a recommendation to the TDPUD Board of Directors that includes the hiring of a specialized consultant to assist with benchmarking and funding.
 - e. On the funding side there was a lot of discussion about the different types of funding that exists and is getting ready to enter the market.
 - f. Discussion arose around the ability to obtain grant funding (will Truckee qualify as a "disadvantaged community", historically with grants outside of Broadband it is a struggle to build the case for Truckee being disadvantaged), Broadband Committee members advised that these new grants are still fine tuning definitions and we should not count the community out as Truckee is likely to meet the new definitions, specifically within the Broadband space.
 - g. The group believes there may be money available for feasibility studies, more to come.

- h. It is important that TDPUD look into other grant areas besides just Broadband. For example, job development grants may be able to be used towards this project.
- 8. At the end of the meeting there was a quick recap of action items and timelines:
 - a. Set up call with Plumas-Sierra, TDPUD IT, and the Supply Side sub-group.
 - b. Sib-groups will each bring a draft presentation to the next Broadband Committee Meeting (January 13, 2022)
 - c. At the January 13, 2022 meeting the group would like an agendized item for additional Broadband Meeting(s) to be discussed.
 - d. The Committee, via strong consensus, believes no action is not an option for TDPUD.

ADJOURNMENT – 4:30PM



MEETING DATE: January 13, 2022

TO: Broadband Committee

FROM: Regina Cooley, Contract Administrator

SUBJECT: Consideration to Adopt of Resolution 2022-01, Resolving a Local Emergency and Authorizing Remote Teleconference Meetings of the Broadband Committee for the Period January 13, 2022 – February 10, 2022 pursuant to the Brown Act Provisions and AB361.

RECOMMENDATION:

Make certain findings, including but not limited to, meeting in person would present imminent risks to the health or safety of attendees, as set forth in Resolution 2021-02 which defines the provisions of AB361 and authorizes remote teleconference meetings for the next thirty (30) days of the initial or subsequent resolution to continue to allow the Broadband Committee to meet remotely via teleconference, as allowed under AB361 and in compliance with the Brown Act Provisions for the period December 16, 2021 to January 15, 2021.

BACKGROUND:

Governor Newsom declared a State of Emergency on March 4, 2020 in response to the COVID-19 pandemic. Executive Order N-29-20, signed on March 17, 2020, suspended certain requirements of the Brown Act by granting public agencies the ability to conduct meetings via teleconference or electronic means while providing member of the public options to observe and provide public comment during the course of the meeting without physically attending. Executive Order N-08-21, rescinded these temporary Brown Act measures effective September 30, 2021.

Whereas, Assembly Bill 361 was passed on September 16, 2021, and is effective from October 1, 2021 until January 1, 2024, providing local agencies the ability to meet remotely during proclaimed state emergencies as defined in CA GOVT Code 8625, as defined when state officials have imposed or recommended measures to promote social distancing. Consistent with the requirements of AB 361, the District or Committee must make certain findings, which are set forth in Resolution 2022-01, defining the provisions of AB361 which defines the provisions of AB 361 and authorized remote teleconference meetings for the next thirty (30) days. A subsequent resolution must be adopted no later than thirty (30)

days of adoption of the initial or subsequent resolution to continue to allow the District or Committee to meet remotely via teleconference.

This item is in support of the following objectives and goals identified by the District.

1.05.030 Goals:

5. Developing an inclusive culture drives organizational integration and success.

FISCAL IMPACT:

There is no fiscal impact associated with approving Resolution 2021-02.

ATTACHMENT:

1. Resolution 2022-01.



Resolution No. 2022 - 01

A Resolution of the Broadband Committee of the Truckee Donner Public Utility District Authorizing Remote Teleconference Meetings of the Broadband Committee for the Period of January 13, 2022 – February 12, 2022 pursuant to the Brown Act Provisions and AB361

WHEREAS, the Truckee Donner Public Utility District is committed to preserving and nurturing the public access and participation in meetings of the District; and

WHEREAS, all meetings of the District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 et al), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, the State of Emergency declared by Governor Newsom on March 4, 202, due to COVID-19 and

WHEREAS, the Broadband does hereby find that the increase in SARS-CoV-2 Delta Variant has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Broadband Committee does hereby find that the Broadband Committee shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the Broadband Committee enacts virtual meeting protocols on January 13, 2022, which include options for public participation.

NOW THEREFORE BE IT RESOLVED BY THE BROADBAND COMMITTEE OF THE TRUCKEE DONNER PUBLIC UTILITY DISTRICT THAT:

1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. Ratification of Governor's Proclamation of a State of Emergency. The Broadband Committee hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.
3. Remote Teleconference Meetings. The Broadband Committee is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.
4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) February 12, 2022, or such time the Broadband Committee adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Broadband Committee at a meeting duly called and held within the District on January 13, 2022 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TRUCKEE DONNER PUBLIC UTILITY DISTRICT

By _____
Chair – Judy Price

ATTEST:

Regina Cooley, Contract Administrator